

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Cornelius Clark,

Plaintiff,

v.

David W. Gray,

Defendant.

Case No. 2:20-cv-4174

Judge Michael H. Watson


Magistrate Judge Vascura

**ORDER**

Cornelius Clark ("Plaintiff") instituted this action as a prisoner civil rights suit. See Compl., ECF No. 1-1. Upon initial screen, Magistrate Judge Vascura issued an Order and Report and Recommendation ("R&R") granting Plaintiff's motion for leave to proceed *in forma pauperis* and recommending the Court dismiss Plaintiff's Complaint for failure to allege the requisite personal conduct by the defendant. R&R, ECF No. 2.

The R&R advised the parties of their right to object thereto and warned the parties of the consequences of failing to object. *Id.* at 7. The deadline for filing objections has passed, and Plaintiff filed none. Accordingly, the Court **ADOPTS** the R&R without further review. The Clerk shall enter judgment for Defendant and terminate this case. The Court **CERTIFIES** pursuant to 28 U.S.C. § 1915(a)(3) that, for the reasons stated in the R&R—and because Plaintiff waived his right to appeal the adoption of the R&R by not filing timely objections—any appeal of this Order adopting the R&R would not be taken in good faith and therefore **DENIES** Plaintiff leave to appeal *in forma pauperis*.

**IT IS SO ORDERED.**

  
MICHAEL H. WATSON, JUDGE  
UNITED STATES DISTRICT COURT